

DECLARATION AND POWER OF ATTORNEY

(For Use with Application Data Sheet)

Title Of Invention	ENGINE LAG DOWN SUPPRESSING DEVICE OF CONSTRUCTION MACHINERY
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

X The attached application, or
X The application which was filed as PCT International Application Number
PCT/JP2004/012759 on August 27, 2004
Application No. _____, filed on _____,
_____ as amended on _____ (if applicable);

I believe that I am the original, first and sole inventor (if only one name is listed below) or
an original, first and joint inventor (if plural names are listed below) of the subject matter
which is claimed and for which a patent is sought.

I/we have reviewed and understand the contents of the above-identified application,
including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all
information known to me/us to be material to patentability as defined in 37 CFR 1.56,
including material information which became available between the filing date of the prior
application and the National or PCT International filing date of the continuation-in-part
application, if applicable;

I/we hereby appoint the practitioners at CROWELL & MORING L.L.P., whose Customer
Number is:

23911

as my/our attorneys to prosecute the application identified above, and to transact all
business in the United States Patent and Trademark Office connected therewith; and

All statements made herein of my/our own knowledge are true; all statements made herein
on information and belief are believed to be true, and further these statements were made
with the knowledge that willful false statements and the like are punishable by fine or
imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the
application or any patent issuing thereon.

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